

# Portuguese citizenship for Sephardic Jews – what to expect

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Portugal's Parliament approved on October 13th, a Bill proposal that intends to end the possibility for descendants of Sephardic Jews who were expelled during the Spanish Inquisition, to obtain Portuguese citizenship.

It is the Portuguese Government understanding that the law that enabled descendants of Sephardic Jews to obtain the Portuguese citizenship served its purpose, it was a "fair recognition" and a "duty of historical reparation," by being a "symbolic gesture intended to mark a recognition that has been fulfilled through a generous time window", in the words of the Justice Minister Catarina Sarmiento e Castro.

Additional measures will still be adopted according to the Bill, to safeguard national security in the system for acquiring Portuguese citizenship.

Although the Proposal that was approved will still undergo some changes and will be voted again, very significant changes were decided in the process of acquiring Portuguese citizenship, namely:

- In 2024, it will no longer be possible to grant Portuguese citizenship to descendants of Sephardic Jews simply by demonstrating a tradition of belonging to a Sephardic community of national origin based on proven objective requirements of connection to Portugal, namely surnames, family language, direct or collateral descent, ownership of property through inheritance and regular trips to Portugal;

Following the revoking of this exceptional regime for the acquisition of citizenship by descendants of Sephardic Jews, the general rules for the acquisition of citizenship will apply, including the need for legal residence in Portugal, which for Sephardic Jews descendants is expected to be 3 years, and proof of knowledge of the Portuguese language;

- Suspension of the citizenship application for citizens who are addressees of restrictive measures determined by the European Union or the United Nations;
- Biometric data such as photographs, fingerprints and height must be collected from those interested in the citizenship process.

- Applicants for Portuguese citizenship by naturalization are now required to not have been convicted of a crime punishable under Portuguese law, with a final and unappealable sentence, with a prison sentence of 1 year or more, instead of 3 years as was previously required.
- The deadline for the Public Prosecutor's Office to oppose the granting of nationality is now 1 year from the date of registration of the acquisition of Portuguese citizenship.

In addition, opposition by the Public Prosecutor's Office to the granting of citizenship may be based on the following grounds:

- a) The lack of an effective link to the national community;
- b) The conviction, with final judgement, of a prison sentence of one year or more, for a crime punishable under Portuguese law;
- c) The exercise of public functions not predominantly of a technical nature or the rendering of non-compulsory military service to a foreign state;
- d) The existence of a danger or threat to national security or defense, namely through involvement in activities related to terrorism, violent, especially violent or highly organized crime.

With the exception of the collection of biometric data, which will come into force within 90 days of the law coming into force, and the revocation of the special regime for the acquisition of nationality for descendants of Sephardic Jews, the definitive date for which has not yet been set, the rest of the measures will come into force the day after the publication of the law introducing the aforementioned changes, and the process of revising the law is expected to be completed by December 2023.



**Thinking about tomorrow? Let's talk today.**

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